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September 4, 1990

Ms. Margaret Leshen
Supervisory Engineer
United States
Environmental Protection Agency
John F. Kennedy Federal Building
Boston, Massachusetts 02203

SEPT 06 1990

Re: BNZ Materials, Inc. Facility located at the Iron Horse
Industrial Park in Billerica, Massachusetts

Dear Ms. Leshen:

On behalf of BNZ Materials, Inc. ("BNZ"), Goldberg, Zoino and Associates ("GZA") is supervising construction and implementation of a wastewater pretreatment facility ("WWTF") at BNZ's facility ("Facility") located at the Iron Horse Industrial Park in Billerica, Massachusetts ("Iron Horse Park"). As you may know, BNZ purchased the Facility in the Iron Horse Park from Johns-Manville Corporation in 1988 and has been operating a manufacturing facility at that location since that date.

The WWTF is being constructed pursuant to an administrative order issued by the Division of Water Pollution Control of the Department of Environmental Protection ("DEP") on August 15, 1989 ("Order"), a copy of which is enclosed. In addition to the WWTF, the Order requires BNZ to construct an on-site sewer connection line into which treated wastewater will be discharged.

As part of GZA's preliminary construction work, GZA took soil samples along the sewer connection line which detected small amounts of asbestos at an average concentration of 1.5% and trace amounts of polychlorinated biphenyls ("PCBs") at 2.1 parts per million. We hereby notify you of this data pursuant to your oversight of the Iron Horse Park in connection with its status as a Superfund Site. We have already notified the DEP, Division of Hazardous Waste of this data, pursuant to Massachusetts General



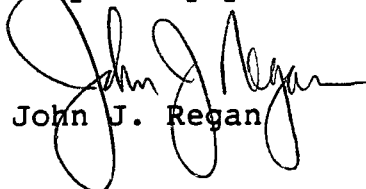
Laws, Chapter 21E. As you know, these samples only reconfirm data obtained several years ago at the Facility as part of the EPA's remedial investigation/feasibility studies at the Iron Horse Park Superfund Site.

BNZ hopes that construction of the on-site sewer connection line outside of the Facility will commence within the next month or so, in order to comply with a scheduling order issued in connection with DEP's Order. BNZ is currently awaiting confirmation from the DEP's Division of Air Quality Control and the Massachusetts Department of Labor and Industries ("DLI") regarding BNZ's proposed plan to excavate the soil along the sewer connection line. That soil will then be dewatered and stockpiled, if necessary, and replaced after installation of the sewer line. For your information, enclosed please find a copy of the July 12, 1990 letter from GZA to DEP and DLI regarding the proposed plan.

BNZ has already commenced construction of the WWTF within the interior of the Facility. In connection with the installation of the WWTF, BNZ must pump the groundwater under the basement of the Facility in order to install and connect the pumping station which is part of the WWTF. This groundwater will be recirculated into the lagoons located on BNZ's property. BNZ anticipates that this pumping will occur within the next week or two.

BNZ anticipates going forward with the construction and implementation of the WWTF and the sewer connection line pursuant to the requirements and deadlines of DEP's Order. If you have any comments or questions regarding this matter, please feel free to call me.

Very truly yours,


John J. Regan

JJR/mjn
Enclosure

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HAZARDOUS WASTE
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June 22, 1990

Division of Hazardous Waste
Department of Environmental
Protection
One Winter Street
Boston, MA 02108

Re: BNZ Materials, Inc.

Dear Sir/Madame:

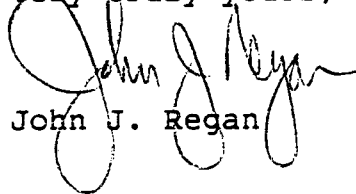
On behalf of BNZ Materials, Inc. ("BNZ"), Goldberg-Zoino & Associates ("GZA") is supervising construction and implementation of a wastewater pretreatment facility ("WWTF") at BNZ's facility ("Facility") located at the Iron Horse Industrial Park in Billerica, Massachusetts ("Iron Horse Park"). The WWTF is being constructed pursuant to an administrative order issued by the Department of Environmental Protection's ("DEP's") Division of Water Pollution Control dated August 15, 1989 ("Order"). In addition to the WWTF, the Order requires BNZ to construct an on-site sewer connection line into which treated wastewater will be discharged.

As part of GZA's preliminary construction work, GZA took soil samples along the sewer line which detected small amounts of asbestos at an average concentration of 1.5 percent, and trace amounts of polychlorinated biphenyls ("PCBs") at 2.1 parts per million. Our letter today is to notify you of this data pursuant to M.G.L. c. 21E's reporting requirements. These samples reconfirm data taken several years ago at the Facility as part of the U.S. Environmental Protection Agency's ("EPA's") remedial investigation/feasibility studies at the Iron Horse Park Superfund Site.

We understand that EPA has and will continue to supervise any construction or remedial activity at the Iron Horse Park Superfund Site. BNZ anticipates that it will go forward with the construction and implementation of the WWTF and sewer connection line pursuant to the requirements and deadlines of DEP's Order.

Please call us if you have any questions or comments concerning this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John J. Regan". The signature is fluid and cursive, with the first name "John" being the most prominent part.

John J. Regan

JJR/dmp



JUL 11 1990

GOLDBERG·ZOINO & ASSOCIATES, INC.
CONSULTING ENGINEERS GEOLOGISTS ENVIRONMENTAL SCIENTISTS

320 Needham Street Newton Upper Falls, MA 02164
(617) 969-0050 FAX (617) 965-7769

July 12, 1990
File No. 11689.2-C, PC
11689-C

Mr. John McCauley
Commonwealth of Massachusetts
Department of Environmental Protection (DEP)
Division of Air Quality Control
One Winter Street
Boston, Massachusetts 02108

Mr. Lou Brinn
Commonwealth of Massachusetts
Department of Labor and Industries (DLI)
100 Cambridge Street
Room 1121
Boston, Massachusetts 02202

Re: Trench Excavation in Area
With Asbestos Deposition

Dear Mr. McCauley:

On behalf of our client, BNZ Materials Inc. (BNZ) of North Billerica, Massachusetts, Goldberg-Zoino & Associates, Inc. (GZA) submits this letter to propose practical management alternatives to the DEP and DLI for the proposed construction referenced above. BNZ's counsel, Hale & Dorr, has sent a letter to the DEP, Division of Hazardous Waste, apprising it of the results of soil sampling and analysis along the planned excavation alignment. BNZ is under an Administrative Order (Docket No. 793) from the Department of Environmental Protection (DEP), Division of Water Pollution Control (DWPC) to construct a sewer connection to convey their industrial wastewater to the Billerica sewer system. BNZ has expended significant effort and resources to comply with the provisions of this order; thus far all design and permit application components of the order have been met. In the process of complying with the order, a pretreatment system, as well as a pumping station and force main to transport the treated effluent, have been designed. BNZ has executed a construction contract to build the treatment and conveyance works with New England Design and Construction Corporation. The contract was executed on June 29, 1990, in accordance with the DEP Order. Construction should begin thereafter. DEP has ordered BNZ to complete construction by November 27, 1990 and begin discharging treated industrial wastewater to the sewer by December 27, 1990.

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EXHIBIT A



It appears that the construction of the force main will require excavating soil in which low levels of asbestos have been detected. This letter outlines two alternative proposed plans of action and we seek your response to them.

BACKGROUND

The BNZ facility was formerly owned and operated by Johns-Manville Corporation. Asbestos was used in the manufacture of refractory board at this site. ~~To our knowledge, disposal of raw asbestos, asbestos-containing products or wastes did not take place on this site in the areas of proposed force main construction.~~ The use of asbestos was ended in 1985. BNZ purchased the site and the operation from Johns-Manville in 1988. The BNZ property lies within the U.S. EPA's Iron Horse Park Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or "Superfund") site. The Remedial Investigation (RI) prepared in 1985 documented that asbestos was an issue at the Superfund site.

PROPOSED CONSTRUCTION

The proposed force main connection to the existing gravity sewer will extend approximately 680 feet between the manufacturing building and the sewer. Of this total distance, 480 feet of the route is currently grassed/open area and 200 feet is paved. Along this route, a trench will be excavated to install the small diameter (4-inch) pipeline. The actual construction of the force main will require a trench 2 to 3 feet wide and 4 to 6 feet deep.

SITE EVALUATION

Due to the presence of asbestos, which was previously-reported (in the RI), soils were sampled in the immediate area of proposed construction. Seven soil samples were collected and analyzed for asbestos via polarized light microscopy with dispersion staining (PLM). These samples were collected from the upper 6 inches of soil along the alignment of the pipeline. Asbestos was detected in six of the seven collected samples and the average asbestos concentration detected was ~~1.5 percent~~. The asbestos content ranged from less than 1 percent to 3 percent. At one location, two samples were taken of the soil column, the first from 0 to 2 inches and the other between 4 to 6 inches. At that location, 3 percent asbestos was detected in the upper sample, but no asbestos was detected in the lower sample. ~~Therefore, there appears to be a low level of asbestos present in the surficial soils in the proposed area of construction.~~

As previously noted, on June 11, 1990, Hale and Dorr sent a letter on behalf of BNZ, to DEP, Division of Hazardous Waste, notifying the Division of the soil conditions along the planned trench line. This notice was sent pursuant to Massachusetts General Laws, Chapter 21E reporting requirements.

REQUESTED ACTION

On behalf of BNZ, we are submitting to DEP and DLI a proposal for appropriate management of the asbestos residuals in the surface soil within the construction area. The plan proposed below is submitted for review. Please note that a prompt response to this inquiry is respectfully requested because the owner is operating under DEP Administrative Order to construct the works. The proposed plan is intended to assist BNZ in complying with the provisions of the DEP order.

PROPOSED PLAN

1. A bulldozer or loader will remove the top 6 inches of soil in the grassed areas to a distance of 8 feet on either side of the proposed sewer alignment (total width ± 16 feet). Prior to excavation the area will be thoroughly wetted. During the excavation, a water misting will be used to continuously dampen the ground surface and all spoil piles. The piles will be pushed to one side of the trench alignment, wetted down and covered with polyethylene sheeting to reduce evaporation and prevent release.
2. Confirmation soil samples will then be taken of the excavated area and analyzed for asbestos. Assuming that asbestos is not detected above background levels, the regular construction work will proceed. If asbestos is detected above background levels, additional soil will be excavated and stockpiled.
3. A backhoe will excavate the pipe trench within the scraped corridor and the contractor will complete the installation of the sewer.
4. The topsoil removed from the grassed area will be kept wet and then spread and graded in its original location. This approach recognizes the status of the area as an EPA Superfund site and the detection of asbestos on the site.



The Client's and GZA's primary concern is to protect the construction workers. But, we also must also have a pragmatic approach that acknowledges that the "asbestos material" in this case is the top few inches of soil within a trench corridor. We request DEP's approval in writing on our proposed plan.

Very truly yours,

GOLDBERG-ZOINO & ASSOCIATES, INC.

Roger P. Thibault, P.E.
Senior Project Manager

Duncan W. Wood, P.E.
Associate

RPT/DWW:pam

cc: Darryl Boehmer, BNZ
John J. Regan, Esq., Hale and Dorr
Richard Beyer, BNZ
Anne E. Simon, Administrative Law Judge, DEP
Marsha Sherman, Esq., DEP
David Ferris, DEP DWPC